Muskegon County
Board of Commissioners
Hall of Justice, 990 Terrace, 4th Floor
Muskegon, MI 49442

Susie Hughes, Chairman
Gary Foster, Vice Chair
Marcia Hovey-Wright
Robert Scolnik
Zach Lahring
I. John Snider II
Kenneth Mahoney
Rillastine R. Wilkins
Charles Nash

Roll Call
Present: Gary Foster, Susie Hughes, Zach Lahring, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine R. Wilkins

Voice vote
Motion Carried

2019-405 APPROVE THE REGULAR AND CLOSED BOARD MINUTES OF OCTOBER 8, 2019

Moved by Commissioner Mahoney, seconded by Commissioner Nash, to approve the Regular and Closed Board Minutes of October 8, 2019.

Voice vote
Motion Carried
YMCA PRESENTATION

Kristen Wade, Human Resources Director, introduced Samuel Nedeau, YMCA Board Chief Volunteer Officer. Mr. Nedeau presented a resolution to Sheriff Poulin in recognition of the support his department has provided to YMCA.

PUBLIC COMMENT (on an agenda item)

Sheriff Poulin addressed the Board asking that his proposed 2% raise be pulled from the agenda and the funds be applied to the Sheriff's training budget. Sheriff Poulin further addressed resolutions received by Commissioners in reference to his duties. Sheriff Poulin stated that he is bound to support state laws and the Constitution when he took his oath of office.

Community Members (Tammy Barnhart, Anna Derouin, Linda Dykstra, Jim Riley, Laurel Gravlin and Mary Greve) addressed the Board in opposition to the 2% raise for Elected Officials and/or the removal of 10. B. Resolution in Opposition to Sanctuary County.

Kip Smith thanked Commissioners for supporting Chairman’s Report items D. USS Silversides Submarine Museum Lecture & Film Series Monday, November 4th – 6 p.m.; E. Turkey Trail Run 5K – Gillett Nature Center Saturday, November 9th – 9 a.m. Mr. Smith also addressed Commissioner Lahring stating PA 269 2015 prohibits him from displaying campaign materials and asked that he put his hat away.

Chairman Hughes noted US Code Title 4 asks that you remove your hats while a flag is in view and asked audience members to remove their hats.

Glen Evans expressed disappointment in behavior of Commission expressing that no human is illegal. When it was noted that that item is no longer on the agenda, Mr. Evans continued verbally attacking a Commissioners. Chairman Hughes asked that Mr. Evans be physically removed from the meeting.

Additional public comments will be made at the end of the meeting since audience members agreed their comments no longer concern an agenda item.

COMMUNICATIONS

The following Communications were provided to Commissioners for information and will be placed on file:

A. Bay County Resolution: Opposition to County Commissioner “Non-Partisan” Candidate

B. Lapeer County Board Resolution: Support of Line 5 Tunnel

COMMITTEE/BOARD REPORTS

The Community Development/Strategic Planning Committee met on October 15, 2019. There were no action items presented.
CREATE TWO AIRPORT MAINTENANCE WORKER POSITIONS (NO-00180; $16.633 - $20.957/HR.) TO PROVIDE IMPROVED AIRFIELD AND LANDSIDE MAINTENANCE STAFFING. FURTHERMORE, MOVE TO UNFUND THE AIRPORT MAINTENANCE WORKER POSITION #N08002 UPON THE RETIREMENT OF THE INCUMBENT IN THE POSITION.

TR19/10-26
The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to create two Airport Maintenance Worker positions (NO-00180; $16.633 - $20.957/hr.) to provide improved airfield and landside maintenance staffing. Furthermore, move to unfund the Airport Maintenance Worker position #N08002 upon the retirement of the incumbent in the position.

Roll Call:
Yes: Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes
No: None
Excused: Marcia Hovey-Wright, I. John Snider, II

APPROVE LEASE AMENDMENT NO. 6 TO LEASE GS-05P-LMI17680 BETWEEN THE COUNTY AND THE GSA-TSA, EXTENDING THE CURRENT LEASE AGREEMENT FOR A 1 YEAR/SIX MONTHS, FIRM TERM AND FURTHER AUTHORIZE THE CHAIR TO EXECUTE THE LEASE AMENDMENT.

TR19/10-27
The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to approve lease amendment No. 6 to lease GS-05P-LMI17680 between the County and the GSA-TSA, extending the current lease agreement for a 1 year/six months, firm term and further authorize the Chair to execute the lease amendment.

Roll Call:
Yes: Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes
No: None
Excused: Marcia Hovey-Wright, I. John Snider, II

WM19/10-130
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve payment of the accounts payable of $2,873,551.09, covering the period of September 20, 2019 through October 3, 2019 for checks as presented by the County Clerk.

Roll Call:
Yes: Gary Foster, Kenneth Mahoney, Bob Scolnik, Rillastine Wilkins, Susie Hughes
No: Zack Lahring, Charles Nash
Excused: Marcia Hovey-Wright, I. John Snider, II  **Motion Carried**

2019-409  **APPROVE ADOPTION OF THE 2019 APPORTIONMENT REPORT AS PREPARED AND SUBMITTED BY THE MUSKEGON COUNTY EQUALIZATION DEPARTMENT**

WM19/10-132
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve adoption of the 2019 Apportionment Report as prepared and submitted by the Muskegon County Equalization Department.

Roll Call:
Yes: Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes
No: None
Excused: Marcia Hovey-Wright, I. John Snider, II  **Motion Carried**

2019-410  **AUTHORIZE THE SALE OF SURPLUS ITEMS THOUGH MIEDEMA AUCTIONEERING, INC.**

WM19/10-133
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to authorize the sale of surplus items though Miedema Auctioneering, Inc.

Roll Call:
Yes: Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes
No: None
Excused: Marcia Hovey-Wright, I. John Snider, II  **Motion Carried**
2019-411 AUTHORIZE A ONE YEAR EXTENSION ON THE CONTRACT WITH JONES LANG LASALLE, LLC.

WM19/10-134
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to authorize a one year extension on the contract with Jones Lang LaSalle, LLC.

Roll Call:
Yes: Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes
No: None

Excused: Marcia Hovey-Wright, I. John Snider, II Motion Carried

2019-412 APPROVE THE RESOLUTION URGING OUR GOVERNOR TO RESTORE FUNDING TO THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY (EGLE) BUDGET

WM19/10-135
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve the resolution urging our Governor to Restore Funding to the Department of Environment, Great Lakes and Energy (EGLE) Budget.

Roll Call:
Yes: Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes
No: None

Excused: Marcia Hovey-Wright, I. John Snider, II Motion Carried

2019-413 VOTE ON THE SALARY INCREASE OF 2% FOR ELECTED OFFICIALS SEPARATELY

Moved by Commissioner Scolnik, seconded by Commissioner Lahring, to vote on the salary increase of 2% for Elected Officials by individual office.

County Clerk Waters addressed the Board requesting a ruling by Corporate Counsel if an elected official can refuse to accept a raise or if they have to accept the raise and then donate it after receiving it.

Commissioner Nash asked the same indicating that the raise is not to a person but to an office and next year is an election that the same people may not hold that position.

Commissioner Scolnik indicated that Commissioner Nash brought up a different point of view. Chairman Hughes suggested this motion be tabled.
Discussion ensued. Beth Dick, Finance Director/Assistant County Administrator noted this motion cannot be tables because this has to come before the Board before November 1st and the next meeting of the Board is not until November 5th.

**Commissioner Scolnik withdrew his motion.** Commissioner Scolnik noted the 2% increase for 3 years was agreed to by all employees in exchange for reducing pension benefits.

**2019-414**  
APPROVE A SALARY INCREASE OF 2.0% FOR THE SHERIFF, COUNTY CLERK, COUNTY TREASURER, REGISTER OF DEEDS, PROSECUTOR AND DRAIN COMMISSIONER ABOVE THEIR CURRENT SALARY TO BE EFFECTIVE THE FIRST PAY IN JANUARY 2020

WM19/10-131  
The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve a salary increase of 2.0% for the Sheriff, County Clerk, County Treasurer, Register of Deeds, Prosecutor and Drain Commissioner above their current salary to be effective the first pay in January 2020.

Roll Call:

Yes: Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes

No: Zack Lahring, Gary Foster

Excused: Marcia Hovey-Wright, I. John Snider, II  
Motion Carried

**CHAIRMAN’S REPORT/COMMITTEE LIAISON REPORTS**

**2019-415**  
REVOKE THE APPOINTMENT OF ANDREW MANN TO THE BUILDING AUTHORITY

Moved by Commissioner Mahoney, seconded by Commissioner Wilkins, to revoke the appointment of Andrew Mann to the Building Authority.

Voice vote  
Motion Carried

B. Resolution in Opposition to Sanctuary County Removed from Agenda

Chairman Susie Hughes announced the following events;

C. Appraisal Fair at the Muskegon Museum of Art on Saturday, October 26th from 10 a.m. to 4 p.m. ($15 per item)  
https://muskegonartmuseum.org/event/appraisal-fair/

D. USS Silversides Submarine Museum Lecture & Film Series concludes on Monday, November 4th at 6 p.m.  
https://web.muskegon.org/events/2019-Fall-Film-and-Lecture-Series-8896/details

E. Turkey Trail Run 5K at PJ Hoffmaster Park, Gillett Nature Center, will take place on Saturday, November 9th at 9 a.m.  
https://runsignup.com/Race/MI/Muskegon/TurkeyTrail5KatHoffmaster
Commissioner Mahoney provided an update on the Accommodation Tax Advisory Board noting the County is on track to collect the same or better than last year and stated we will need an additional dock for the additional cruise traffic scheduled for 2020. Commissioner Mahoney noted that the new Muskegon Visitors Guide will soon be distributed throughout the Midwest.

Commissioner Scolnik reported that the Muskegon District Library Board approved the purchase of a new book mobile. He also announced that a new library will be moving to the strip mall on Apple Avenue near Mr. B’s.

Commissioner Lahring reported that the Fair Board adopted a new Committee consisting of MSUE and the Public Health Department to address education and entrepreneurial opportunities at the Fairgrounds.

**ADMINISTRATOR’S REPORT**

    A. Calendar Reminder: Next Meeting is November 5th, no meeting next week

County Clerk Waters reminded everyone that November 5th is Election Day and encouraged everyone who has an election in their area to get out and vote.


The Administrator recommends, moved by Commissioner Nash, seconded by Commissioner Mahoney, to approve the 2nd one year renewal option for the Memorandum of Understanding with the State of Michigan Department of Health and Human Services for the processing of County Child Care Fund foster care payments out of the Lansing Accounting Service Center for the period from October 1, 2019 to September 20, 2020 and authorize the County Administrator to sign the agreement contingent upon the approval of the Bureau of Grants and Purchasing of the State of Michigan and receipt of the final document.

Roll Call:

Yes: Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes

No: None

Excused: Marcia Hovey-Wright, I. John Snider, II  

**Motion Carried**
OLD BUSINESS

2019-417 THAT THE COUNTY OF MUSKEGON SHALL NOT BECOME A SANCTUARY COUNTY AND THAT THE RESIDENTS OF MUSKEGON COUNTY SHALL BE OUR PRIMARY CONCERN

Moved by Vice Chair Foster, seconded by Commissioner Lahring and Commissioner Wilkins, that the County of Muskegon shall not become a Sanctuary County and that the residents of Muskegon County shall be our primary concern.

Commissioner Nash noted this has been pulled from the agenda but would vote on it. Chairman Hughes indicated this is old business.

Commissioner Scolnik asked if this was the same wording as the resolution pulled from the agenda. Vice Chair Foster said it is not the same wording.

Commissioner Mahoney noted he was sad that the Commission is dealing with this issue that divides citizens one against another over an issue the County does not control.

Commissioner Nash agreed with Commissioner Mahoney and stated that, if everyone listened to the Sheriff, Muskegon County cannot become a Sanctuary County and further stated this is embarrassing and it needs to stop.

Commissioner Wilkins indicated that she wanted to correct the problem because we are not a Sanctuary County and we don’t need it.

Chairman Hughes stated because we have two Commissioners who are not here it was too important which is why the original motion was pulled but it has come up again so it will go to a vote.

Commissioner Scolnik indicated that he did not know that the resolution was being pulled but it is a non-issue.

Commissioner Mahoney asked why we would do a resolution for a problem that doesn’t exist.

Chairman Hughes noted this began out of a resolution brought before the Board by Commissioner Hovey-Wright and got blown into something totally different.

Commissioner Wilkins asked how do we get a solution and resolve the problem. Commissioner Wilkins asked to remove her second to remove the issue.

Commissioner Lahring indicated if the Board is tired of dealing with this, let’s vote and be done with it.

Discussion ensued. Corporate Counsel and Chairman Hughes determined the withdrawal of support by Commission Wilkins ended debate and the motion failed without vote.

NEW BUSINESS

There was no new business to come before the Board.
**PUBLIC COMMENT**

Several citizens addressed the Board in support of and/or in opposition to Muskegon becoming a Sanctuary County.

Several citizens addressed the Board in opposition to the 2% raise for the elected officials.

Larry Hart addressed the Board refusing to remove his hat as a political statement. Mr. Hart held up signs threatening to post in each Commissioner’s yard when anything supporting a Sanctuary County is approved. Mr. Hart was removed from the Boardroom for threatening Commissioners.

Some attendees addressed issues of being accused of being a communist on one Commissioner’s Facebook page and asked that that Commissioner be censored.

Laura Fitzpatrick, of the Muskegon County Health Project and Coalition for a Drug-free Muskegon, stated she was struck by the contrast of the unity during the pledge of allegiance to the flag followed by the comments by audience members. Ms. Fitzpatrick thanked the Board and other departments in Muskegon County for their leadership to reduce drugs for youth. Ms. Fitzpatrick also introduced Rachel McCoy, staff member from Drug-free Muskegon.

Rachel McCoy, Coalition for a Drug-free Muskegon, provided an update on events. Ms. McCoy thanked Commissioners for the approved ordinance to prohibit sale of e-cigs to minors and reminded everyone of the medication disposal program on Saturday, October 26th from 10 a.m. to 2 p.m. at the Muskegon City Fire Department and other locations around the community.

Rachel Cereska addressed the issue of the Health West deficit and misinformation posted online claiming $10 million debt to the County when it is a running deficit due to a lag between billing the Federal and State government and being paid for those services. Ms. Cereska expressed concern that there are a lot of residents that rely on Health West and the services they provide that are not provided elsewhere.

2019-418  
**GO INTO CLOSED SESSION:  PURSUANT TO MCL 15.268(H): TO DISCUSS A SETTLEMENT AGREEMENT**

Moved by Commissioner Nash, seconded by Vice Chair Foster, to go into Closed Session: Pursuant to MCL 15.268(h): To Discuss a Settlement Agreement

**Roll Call:**

Yes:  Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes

No:  None

Excused:  Marcia Hovey-Wright, I. John Snider, II  
**Motion Carried**

Went into closed session at:  5:31 p.m.

Returned to open session at:  5:41 p.m.
2019-419  **APPROVE THE SETTLEMENT OF GRIEVANCE #03-12-19-FOPL-167 IN THE AMOUNT OF $27,708.52**

Moved by Chairman Hughes, seconded by Commissioner Mahoney, to approve the settlement of Grievance #03-12-19-FOPL-167 in the amount of $27,708.52.

Roll Call:

Yes: Gary Foster, Zack Lahring, Kenneth Mahoney, Charles Nash, Bob Scolnik, Rillastine Wilkins, Susie Hughes

No: None

Excused: Marcia Hovey-Wright, I. John Snider, II  

**Motion Carried**

2019-420 **MOVED BY COMMISSIONER MAHONEY, SECONDED BY COMMISSIONER NASH, TO ADJOURN**

Meeting adjourned at 5:42 p.m.

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Nancy A. Waters, County Clerk

NAW/jmp

To Be Approved at Full Board Meeting on Tuesday, November 12, 2019